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January 28, 2022

Honorable Alison J. Nathan
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Roger Thomas Clark
15-cr-866 (AJN)

Dear Judge Nathan:

I write in response to the Court's Order of January 18, 2022, directing that I file a status update later on Roger Clark's ability to proceed to sentencing. Mr. Clark remains hospitalized for treatment of injuries that he received during an October 18, 2021 fall from his bunk while at the Metropolitan Detention Center. As the Court knows, Mr. Clark had extensive surgery on his hip and pelvic region shortly after his fall. At the end of October 2021, he was transferred to a medical facility in Brooklyn where he remains.

Mr. Clark has made substantial progress in attempting to regain the use of his hip and leg. While he still is unable to walk without assistance, he can move around effectively using a walker. He advises me that he participates in physical therapy almost daily. Unfortunately, at the end of December 2021, Mr. Clark again contracted COVID-19 (he had previously had COVID in December of 2020 while at the MDC). As with his first bout with COVID, Mr. Clark has residual symptoms, although he appears to have cleared the virus from his system. He tells me that he continues to experience fatigue, dizziness and difficulty focusing. The most troubling aftermath of COVID for Mr. Clark is that he has excruciating pain in his joints. This pain coupled with the pain from his initial injury is sufficiently severe that he again is taking a significant quantity of opioids that have been prescribed to him. (Prior to becoming ill with COVID, he had been able to cut back on the dosage substantially). Given these circumstances, I believe that he should not proceed to sentencing at this time.

I am attempting to arrange a phone call with Mr. Clark's treating physician, which I expect will occur within a few days. I therefore ask that the Court permit me to file an additional status update letter in two weeks on February 11, 2022. At that time I hope to be able to advise the Court when Mr. Clark will be mentally and physically fit to be sentenced.

I have consulted with the Assistant United States Attorneys who are representing the government in this case, and the government has no objection to this request.

Respectfully submitted,

_____/s/_____
Stephanie Carvlin

cc: AUSA Michael Neff
AUSA Vladislav Vainberg (via ECF)